

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

DISMISSED: August 23, 2004

GSBCA 16472-ST

IT'S DELICIOUS VENDING,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Eva Kalusin, Silver Spring, MD, appearing for Appellant.

Dennis J. Gallagher, Office of the Legal Advisor, Buildings and Acquisitions,
Department of State, Rosslyn, VA, counsel for Respondent.

Before Board Judges **PARKER, NEILL, and HYATT.**

NEILL, Board Judge.

By order of August 2, 2004, the Board directed appellant to show cause within fifteen days why this case should not be dismissed. The order noted that, during a telephonic conference of the parties with the Board on July 30, appellant's representative had advised that appellant had not filed a specific claim for relief with the Department of State and that, as a consequence, there was no decision from a contracting officer regarding any such claim. Appellant was, therefore, directed to show cause why this case should not be dismissed for lack of jurisdiction given the absence of both a claim and a contracting officer's decision on the same. See Reflectone, Inc. v. Dalton, 60 F.3d 1572, 1575 (Fed. Cir. 1995) (en banc).

Appellant has failed to respond to the Board's order within the time indicated. Accordingly, this case is **DISMISSED**.

EDWIN B. NEILL
Board Judge

We concur:

ROBERT W. PARKER
Board Judge

CATHERINE B. HYATT
Board Judge